



PRESS ALERT

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Federal Government Affirms Higher Education Board's Access to Student Information: CPEC Demands Release of Data

March 24, 2005 — Sacramento — In a letter dated March 3, 2005, the United States Department of Education ruled that the Federal Education Rights and Privacy Act (FERPA) does not preclude the University of California and the California State University systems from providing the California Postsecondary Education Commission (CPEC) with information about student progress. CPEC, the State's higher education planning and coordinating board, has repeatedly requested such data from the University and State University since the passage of a 1999 law that directed the public segments of higher education to provide data for monitoring student progress through California's public higher education system. In spite of this ruling, the UC and CSU have not released the information. The State's community colleges have been providing these data since 1999.

"CPEC is gratified that the Federal Government has affirmed a State's Attorney General opinion regarding the public's right to know about student progress in California higher education," said CPEC board chairman Howard Welinsky. "For the two segments to fail to deliver the data is not only arrogant, but nothing less than obstruction and failure to follow the law. I call upon them to release the data and let CPEC do its job."

CPEC Executive Director Murray J. Haberman noted that "being able to track student progress will help the public, the Legislature, and the Governor better understand such critical issues as time to degree, concurrent enrollment, and transfer." He further commented that, "California spends more than \$12 billion annually on higher education. A college education must remain accessible, affordable, and accountable for all California residents. Accountability begins with good information used wisely."

Since its initial request for data in 2000, the Commission has agreed that it will comply with all appropriate Federal and State privacy laws in assessing the effectiveness of the State's higher education system. "What we have sought all along is information about student behavior, not information about individual students," said Haberman.

The decision reaffirms the Commission's Legislative charge to *“develop and maintain a data-collection system capable of documenting the performance of postsecondary education institutions in meeting the post high school education and training needs of California's diverse population.”*

Said Welinsky, “the law is clear. We look forward to meeting its goals with the cooperation of all those involved in California public higher education, and expect the University and State University to submit the required data.”

A link to the U.S. Department of Education letter can be found on the Commission's website at

http://www.cpec.ca.gov/CompleteReports/ExternalDocuments/US_Dept_Education_FE_RPA.pdf.

The California Postsecondary Education Commission advises the Governor and Legislature on higher education policy and fiscal issues. Its primary focus is to ensure that the State's educational resources are used effectively to provide Californians with postsecondary education opportunities. More information about the Commission and its work can be found at its website at www.cpec.ca.gov.